



Docket No.: 300.1003

Date: October 25, 2001

ASSISTANT COMMISSIONER FOR PATENTS  
Washington, DC 20231

In re application of: **Chih-Ming CHEN, et al.**Serial No.: **09/435,576**Filed: **November 8, 1999**For: **HMG-COA REDUCTASE INHIBITOR EXTENDED RELEASE FORMULATION**

Sir:

Transmitted herewith is a **Response Under 37 C.F.R. §1.111** in the above-identified application.

- [ ] Small entity status under 37 C.F.R. 1.9 and 1.27 has been previously established.  
 [ ] Applicants assert small entity status under 37 C.F.R. 1.9 and 1.27.  
 [X] No fee for additional claims is required.  
 [ ] A filing fee for additional claims calculated as shown below, is required:

	(Col. 1)	(Col. 2)		SMALL ENTITY		LARGE ENTITY
FOR:	REMAINING	HIGHEST		RATE	FEE	OR RATE FEE
	AFTER	PREVIOUSLY	PRESENT			
	AMENDMENT	PAID FOR	EXTRA			
TOTAL CLAIMS	* Minus**	=	x0\$ 9	\$		x \$ 18
INDEP. CLAIMS	* Minus***	=	x0\$ 40	\$		x \$ 80
[ ] FIRST PRESENTATION OF MULTIPLE DEP. CLAIMS			\$			+ \$270

TOTAL: \$ OR TOTAL: \$

- \* If the entry in Co. 1 is less than the entry in Col. 2, write "0" in Col. 3.  
 \*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.  
 \*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.

- [X] Also transmitted herewith are:  
 [X] Petition for extension under 37 C.F.R. 1.136  
 [X] Other: **-Information Disclosure Statement, Form PTO-1449, & Copies of References**

- [X] Check(s) in the amount of **\$490.00, \$380.00 & \$180.00** are attached to cover:  
 [ ] Filing fee for additional claims under 37 C.F.R. 1.16  
 [X] Petition fee for extension under 37 C.F.R. 1.136  
 [X] Other: **-Information Disclosure Statement**

- [X] The Assistant Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-0552.

- 04/10/2002 HDENDY 00000001 500552 09435576  
 01 FC:117 [X] Any filing fee under 37 C.F.R. 1.16 for the presentation of additional claims which are not paid by check submitted herewith.  
 [X] 50.00 CH Any patent application processing fees under 37 C.F.R. 1.17.  
 [X] Any petition fees for extension under 37 C.F.R. 1.136 which are not paid by check submitted herewith, and it is hereby requested that this be a petition for an automatic extension of time under 37 CFR 1.136.

*Robert J. Paradiso*  
 Robert J. Paradiso, Reg. No. 41,240  
 DAVIDSON, DAVIDSON & KAPPEL, LLC  
 485 Seventh Avenue, 14<sup>th</sup> Floor  
 New York, New York 10018  
 Tel: (212) 736-1940  
 Fax: (212) 736-2427

I hereby certify that this correspondence and/or documents referred to as attached therein and/or fee are being deposited with the United States Postal Service as "first class mail" in an envelope addressed to "Assistant Commissioner for Patents, Washington, D.C. 20231" on October 25, 2001.

DAVIDSON, DAVIDSON &amp; KAPPEL, LLC

BY: *Robert J. Paradiso*

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